

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

PAUL G. SHEARER)	
)	
Plaintiff,)	No. 3:03-cv-00263-CV-JKS
)	(CONSOLIDATED)
V.)	
)	
UNITED STATES OF AMERICA,)	ORDER
DIRK KEMPTHORNE, Secretary of)	
of Interior, the DEPARTMENT)	
OF THE INTERIOR, the NATIONAL)	
PARK SERVICE.)	
)	
Defendants.)	

IT IS HEREBY ORDERED that the United States' Motion to Dismiss Case No. 3:03-cv-00269-JKS filed July 15, 2008, is granted.

IT IS FURTHER ORDERED THAT:

1. The consolidation of case of *United States v. 3.05 Acres of Land et al.*, No. 3:03-cv-00269-JKS, with *Paul G. Shearer v. United States et al.*, No. 3:03-cv-00263-JKS, is hereby severed and *United States v. 3.05 Acres of Land et al.*, No. 3:03-cv-00269-JKS, is hereby dismissed with prejudice, and

2. Pursuant to paragraph 5 of the Settlement Agreement (Docket Entry No. 137) filed March 12, 2008, and the Order (Docket Entry No. 138) filed March 27, 2008, proceedings in *Paul G. Shearer v. United States et al.*, No. 3:03-cv-00263-JKS, remain stayed pending a final decision by the Department of the Interior in the proceedings in *United States v. Michael R. Mark Anthony*, No. AA-71472, IBLA No. 2008-184, and

3. Plaintiff Paul G. Shearer shall file a status report within ten days of the final resolution of proceedings in *United States v. Michael R. Mark Anthony*, No. AA-71472, IBLA No. 2008-184.

Dated this 22nd day of July 2008.

/s/James K. Singleton, Jr.
JAMES K. SINGLETON, Jr.
United States District Judge